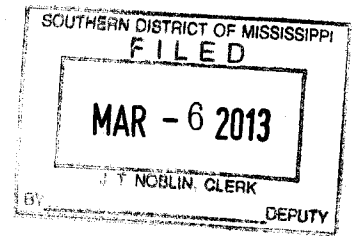


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION



RIVERSIDE CONSTRUCTION CO., INC.

PLAINTIFF

VS.

CIVIL ACTION NO. 5:13CV29 DOB
MTP

ENTERGY MISSISSIPPI, INC.

DEFENDANT

NOTICE OF REMOVAL

To: Hon. J. T. Noblin
U. S. District Court Clerk
P. O. Box 23552
Jackson, MS 39225-3552

Hon. Shelly Ashley-Palmertree
Warren County Circuit Clerk
P. O. Box 351
Vicksburg, MS 39181

Christopher Solop, Esq.
Brenda T. Redfern, Esq.
Lynn Patton Thompson, Esq.
Kimberly B. Taft, Esq.
Biggs, Ingram, Solop & Carlson, PLLC
111 Capitol Building
111 East Capitol Street, Suite 101 (39201)
Post Office Box 14028
Jackson, Mississippi 39236-4028

PLEASE TAKE NOTICE, that Defendant Entergy Mississippi, Inc. ("Entergy"), by and through counsel, pursuant to 28 U.S.C. §§ 1331, 1333, 1441, 1446, and 46 U.S.C. § 30101(a), has removed Civil Action No. 13,0016-CI from the Circuit Court of Warren County, Mississippi, to the

United States District Court for the Southern District of Mississippi, Western Division, on the following grounds:

1. The removed action was commenced by Plaintiff Riverside Construction Co., Inc. ("Riverside") on February 4, 2013, and filed in the Circuit Court of Warren County, Mississippi, Civil Action No. 13,0016-CI. A copy of the Complaint and all other process, pleadings, orders and other matters provided to Entergy in this matter is attached hereto as a composite Exhibit A and incorporated herein by reference.

2. The Complaint in this matter alleges claims that arise under and/or raise substantial disputed questions of federal maritime law. Specifically, Plaintiff alleges that "Entergy's withholding payment from Riverside is a breach of Entergy's payment obligations under the Contract, wrongful, with reckless disregard for the terms and conditions of the Contract, and inflicted in the spirit of wanton disregard for the rights of Riverside and constitutes bad faith for which Riverside is entitled to receive exemplary damages." *See* Exhibit A, Complaint ¶ 25.

3. The Contract between Entergy and Riverside is maritime in nature and relates directly to the maritime lawsuit Entergy filed against Marquette Transportation Company, LLC, and Bluegrass Marine, LLC, which is currently pending in the United States District Court for the Southern District of Mississippi, Western Division; Civil Action No. 5:11cv49-HTW-LRA.

4. This Court has subject matter jurisdiction over this civil action pursuant to 28 U.S.C. §§ 1331, 1333 and 46 U.S.C. § 30101(a).

5. Removal in this matter is timely pursuant to 28 U.S.C. § 1446. Entergy was served with process on February 5, 2013. This Notice of Removal has been timely filed within thirty (30) days of the Plaintiff's service of process on Entergy.

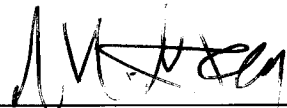
6. By filing this Notice of Removal, Entergy does not waive its rights to object to service, service of process, sufficiency of process, jurisdiction over the subject matter, jurisdiction over the person, venue, or assert any other applicable defenses.

7. A copy of this Notice of Removal has been sent to Plaintiff's counsel and notice will also be filed with the Clerk of the Circuit Court of Warren County, Mississippi.

WHEREFORE, PREMISES CONSIDERED, Entergy Mississippi, Inc. prays that this Court accept subject matter jurisdiction over these proceedings as provided for by law.

Respectfully submitted, this the 6th day of March, 2013.

ENTERGY MISSISSIPPI, INC.

By: 
Sean R. Guy (MSB#100362)

Its Attorney

OF COUNSEL:

MCCRANEY MONTAGNET QUIN & NOBLE, PLLC
602 Steed Road, Suite 200
Ridgeland, Mississippi 39157
Telephone: (601) 707-5725
Facsimile: (601) 510-2939

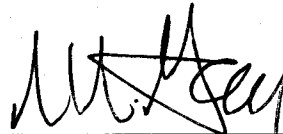
CERTIFICATE OF SERVICE

I, Sean R. Guy, attorney for Entergy Mississippi, Inc., do hereby certify that I have this date caused to be served through email and the Court's ECF filing system, a true and correct copy of the foregoing document to the following:

Christopher Solop, Esq.
Brenda T. Redfern, Esq.
Lynn Patton Thompson, Esq.
Kimberly B. Taft, Esq.
Biggs, Ingram, Solop & Carlson, PLLC
111 Capitol Building
111 East Capitol Street, Suite 101 (39201)
Post Office Box 14028
Jackson, Mississippi 39236-4028
csolop@bisclaw.com
bredfern@bisclaw.com
lynn.thompson@bisclaw.com
ktaft@bisclaw.com

Attorneys for Riverside Construction Co., Inc.

This the 6th day of March, 2013.



Sean R. Guy

1